

HOUSE BILL 811
By Cochran

AN ACT to amend Tennessee Code Annotated, Title 38;
Title 39; Title 40 and Title 68, relative to
methamphetamine.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-401, is amended by adding the following language as subsection (b) and by redesignating subsequent subsections appropriately:

(b)

(1) A person who knowingly allows a child to be present within a structure where the act of creating methamphetamine, as scheduled in § 39-17-408(d)(2), is occurring, is presumed to have neglected the child so as to adversely affect the child's health and welfare for purposes of subsection (a).

(2) A violation of subdivision (1) is a Class E felony if the child is over six (6) years of age.

(3) A violation of subdivision (1) is a Class D felony if the child is six (6) years of age or less.

SECTION 2. This act shall take effect on July 1, 2005, the public welfare requiring it.